

FILED



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
 )  
Richard H. Erving ) Group Art Unit: 2631  
 )  
Serial Number: 09/818,190 ) Examiner: Phuong M. Phu  
 )  
Filed: March 27, 2001 ) Attorney Docket No.: 03493.87207  
 )  
For: METHOD AND SYSTEM FOR INCREASING DATA THROUGHPUT IN  
COMMUNICATIONS CHANNELS ON AN OPPORTUNISTIC BASIS

**AMENDMENT**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the office Action of October 29, 2004, please amend the above-identified application as follows:

**Amendments to the Drawings** begin on page 2 of this paper and include both an attached replacement sheet and an annotated sheet showing changes.

**Remarks/Arguments** begin on page 3 of this paper.

An **Appendix** including amended drawings figures is attached following page 3 of this paper.